

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 8 has been cancelled, while claim 1 has been amended to include the limitations of cancelled claim 8. In addition, claim 12 has been made an independent claim and includes the limitations of original claim 1. Furthermore, claims 29 and 31 have been cancelled, while claims 25 and 30 have been amended to include the limitations of cancelled claims 8 and 29. In addition, the claims have been amended for clarity.

The Examiner has rejected claims 1-32 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 7,336,890 to Lu et al.

The Lu et al. patent discloses automatic detection and segmentation of music videos in an audio/video stream.

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention, as claimed in claim 1, includes the limitation "said plurality of content features includes a face

presence feature to evaluate patterns in the presentation of faces in said multimedia stream" (this limitation also substantially appearing in independent claims 25 and 30).

The Examiner has indicated that this limitation is taught by Lu et al. and references col. 9, lines 51-62.

Applicants submit that the Examiner is mistaken. In particular, the noted section of Lu et al. states:

"Any of a number of shot boundary detection techniques may be utilized by the music video parser. However, shot boundary detection is generally based on the idea that consecutive frames on either side of a boundary generally display a significant change in content. Consequently, a quantitative measure can be calculated to reflect the difference between any such pair of frames. If the difference exceeds a given threshold, then a possible shot boundary is indicated.

"For example, in one embodiment, shot boundary detection is accomplished by first identifying abrupt transitions in content between two image frames. Identifying such abrupt transitions between image frames in a video sequence is accomplished by calculating a difference in light intensity histograms between a current frame and a preceding frame, and comparing that histogram difference to a dynamically determined threshold, such that an abrupt transition, and thus, a shot boundary, is indicated if the histogram difference exceeds the threshold."

Applicants submit that a review of the above indicates that Lu et al. does not contemplate using a "face presence feature" to aid in the segmentation of a music video. Further, a review of Lu et al. in its entirety does not uncover a mention of the term "face" much less the detection of the presence of patterns of the presentation of faces.

Claim 12 includes the limitation "said plurality of content features includes an analysis of key words obtained from a transcript of said at least one music video".

The Examiner has indicated that this limitation is taught by Lu et al. and references col. 10, lines 17-30.

Again, Applicants submit that the Examiner is mistaken. In particular, the noted section of Lu et al. states:

"Any of a number of black screen detection algorithms may be used for detection of black screens. For example, in a tested embodiment, a simple image frame histogram was used to detect such black screens. In particular, those image frames in which the percentage of dark pixels is larger than a pre-defined threshold are identified as black screens.

"In typical music videos, there are often black screens (i.e., a number of image frames showing only black content) between music videos or between a music video and an advertisement or other non-music video media content. Consequently, such black screens are often useful for detecting exact start and end frames of music videos. However, it has also been observed that such black screens may also exist during the period of a given music video."

It should be apparent from the above that Lu et al. does not contemplate segmenting a music video based on a transcript of the music video. Further, a review of Lu et al. in its entirety makes no mention of "transcript".

As described in the specification on page 3, lines 4-6, a transcript of a music video may be obtained from closed caption information. Alternatively, the transcript may be obtained from a database of song lyrics (page 10, lines 21-23).

Independent claim 19 also includes the limitations "accessing a transcript associated with said at least one music

video" and "detecting said chorus based upon a repetition of words in said transcript".

Again, Applicants submit that Lu et al. neither discloses nor suggests accessing a transcript and detect a chorus based on the transcript.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-7, 9-28, 30 and 32, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by /Edward W. Goodman/
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611